Discussion Paper

PROPOSED POLICY FOR MINERAL RESOURCES DEVELOPMENT IN COMMUNITY WATERSHEDS

Ministry of Energy,
Mines and Petroleum Resources

Honourable Jack Davis, Minister

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1.0 AN INVITATION

The Ministry of Energy, Mines and Petroleum Resources is seeking comments on this discussion paper to assist in creating policies for managing mineral resources in watersheds used as community water supplies.

The Minstry invites your review of this discussion paper. Please forward your comments or requests for additional information to the address below.

2.0 SUMMARY

Most British Columbians' domestic, irrigation and industrial water needs are supplied from more than 280 designated community watersheds. Community watersheds encompass diverse natural environments and are subject to varying intensities of resource use. Natural resources are owned both privately and by the Crown in these areas.

MEMPR's policies on mineral exploration in community watersheds will ensure the protection of high quality community water supplies while at the same time providing for maximum ongoing opportunities for mineral exploration and mine development. The Ministry's policies provide a comprehensive framework for integrating mineral resource activities with enhanced community watershed planning and management.

3.0 BACKGROUND

Protection of water resources in community watersheds has become an important topic for local and regional sustainable development discussions. Current government policy requires that all Crown land in community watersheds be planned and managed on an integrated resource basis with priority given to protection of water supplies.

This Ministry of Energy, Mines and Petroleum Resources (MEMPR) discussion paper provides a policy framework for mineral resource management in community watersheds. The policies recognize that protection of community water resources is a priority. These policies also recognize that mineral, coal, sand and gravel, and placer resources on Crown land in community watersheds should be available for development to sustain a healthy mining industry.

In British Columbia, individuals and corporations may be granted tenure over resources on Crown land in community watersheds. All resource development proposals must conform to Integrated Watershed Management Plans. For this reason, mineral resource industry involvement in community watershed planning is viewed by MEMPR as an essential requirement to effectively deliver the Ministry's community watershed policy.

The key elements of this policy initiative include:

* Commitment to ensure protection of water quality and water intake facilities from mineral exploration activities in community watersheds.

* Consideration of applications for no-staking mineral, coal, and placer reserves over environmentally sensitive parts of community watersheds.

* Commitment to participate in integrated watershed management planning.

* Mechanisms to advise mineral title owners of environmental sensitivities in community watersheds, and to promote dialogue between mineral title owners and water licensees or watershed planners.

* Exploration and reclamation approval procedures that promote greater environmental awareness and ensure responsible operations within watersheds.

* Education to increase public and industry awareness of mineral exploration compatibility with most watershed management objectives.

4.0 WATERSHED CLASSIFICATION

The Environment and Land Use Committee's 1980 three-fold classification of community watersheds currently guides government policy and planning for community watersheds. This classification scheme is under review and may be modified.

The Ministry of Energy, Mines and Petroleum Resources' proposed policies are guided by the current three-fold classification; should new watershed classifications or standards be adopted, the Ministry's policies will be modified to reflect those changes.

CATEGORY 1 represents community watersheds up to 1600 hectares that serve an average of 200 persons per 100 hectares. Category 1 watersheds are subject to integrated watershed management planning to ensure maximum protection of a long-term stable water source. MEMPR recognizes that Category 1 watersheds are particularly susceptible to environmental degradation and may, in some instances, require maximum protection.

CATEGORY 2 represents community watersheds from 1600 hectares to 9100 hectares that serve an average of 50 persons per 100 hectares. Category 2 watersheds may be subject to integrated watershed management planning to preserve present and future opportunities for higher intensity water use. MEMPR advocates a flexible management strategy for Category 2 watersheds which recognizes the demands for concurrent resource development activities.

CATEGORY 3 represents community watersheds greater than 9100 hectares, but generally less than 50,000 hectares. Category 3 represents a notation of interest for areas that contain high quality water resources that are subject to increasing intensity of use and resource management. MEMPR recognizes that Category 3 watersheds may represent future community water supplies and may therefore require attention to emerging resource management issues.

FOR FURTHER INFORMATION

Graeme McLaren
Manager, Land Use Policy
Mineral Resources Division
Ministry of Energy, Mines
and Petroleum Resources
Parliament Buildings
Victoria, B.C. V8V 1X4

Phone: (604) 356-2289
Fax: (604) 387-5713

5.0 COMMUNITY WATERSHED POLICY

5.1 POLICY OBJECTIVES

The Ministry of Energy, Mines and Petroleum Resources proposes to adopt the following policies regarding mineral resource activities in community watersheds.

1. To apply the Ministry's land use policies and principles to management of subsurface resources in community watersheds.

2. To protect water quality and quantity standards in community watersheds while maintaining opportunities for mineral resource development which do not affect these standards.

3. To participate in Integrated Community Watershed Planning and Management Programs.

4. To establish conditional mineral reserves where warranted over environmentally sensitive community watersheds and to display this information on mineral, coal and placer title maps. This will notify the mining industry wishing to locate claims in those watersheds that special access and stringent Notice of Work and Reclamation Program reviews, security, contingency plans, or involvement in integrated watershed management planning may be required before approval is granted to explore.

5. To facilitate dialogue between mineral title owners and water licensees so that resource management issues are identified and solved.

6. To establish adequate levels of site specific bonding of mineral, coal, sand and gravel, and placer exploration activities to ensure that contingency issues arising from environmental impacts can be adequately addressed.

7. To coordinate mineral exploration access proposals with Ministry of Forests, Ministry of Environment and other agencies' planning and engineering requirements.

8. To control the scheduling of mineral exploration activities in community watersheds so as to avoid the potential for water quality deterioration.

9. To apply these policies to all mineral claims in community watersheds established now and in the future.

10. To amend the provincial "Guidelines for Mineral Exploration" to outline special procedures applicable to community watersheds.

11. To increase the mining community's awareness of community watershed concerns, and to inform other agencies and public interests of the compatibility of mineral exploration with most community watershed management objectives.

5.2 IMPLEMENTATION STRATEGIES

The following detailed strategies are proposed to achieve the foregoing policy objectives:

1. *NO-STAKING RESERVES*

MEMPR will consider applications for no-staking mineral and placer reserves for all or part of Category 1, and for parts of Category 2 watersheds from valid water licensees incorporated under the Municipal Act, or from water licensees who represent a significant community of unincorporated users.

[A mineral reserve application shall contain detailed (1:20,000 scale) maps showing water abstraction and related facilities, reasons supporting the application, and a discussion of why mineral exploration will negatively impact the water resource. Applications will be reviewed by MEMPR with technical input from other Ministries as required].

2. *NOTIFICATION OF MINERAL TITLE OWNER*

Free Miners acquiring mineral tenure under the Mineral Tenure Act in environmentally sensitive community watersheds will be notified that the tenure is situated in a community watershed. Mineral claim owners will be required to provide water licensees with an annual synopsis of exploration and reclamation programs and will be requested by MEMPR to participate on Integrated Watershed Management Planning Teams.

MEMPR will advise mineral title owners: of changes in watershed designation (e.g. part of a Category 3 may be upgraded to Category 2 or 1 as use patterns change); of the commencement of Integrated Watershed Planning Programs; and of any accompanying changes in exploration and development responsibilities and procedures.

3. *ROAD ACCESS INTO WATERSHEDS*

Proposals for road access construction to mineral properties may be reviewed separately from the general exploration and reclamation aspects of work proposals (Notice of Work and Reclamation Program on a Mineral Property) to ensure that the proposed road is necessary for the next phase of exploration. Road access requirements will be coordinated with other resource interests through an inter-ministry referral process to ensure they meet appropriate engineering design and maintenance standards.

4. *OPERATIONS IN SENSITIVE AREAS*

Exploration programs involving significant surface disturbance with moderate to high likelihood of impacts on watercourses will require discussion between the mineral title owner and water licensee on liability and contingency plans prior to approval of exploration programs by the Chief Inspector of Mines or his designate.

5. *RECLAMATION*

Exploration roads, drill sites, trenches, and other forms of surface disturbance related to mineral exploration activities must be completely reclaimed unless otherwise agreed to in the watershed management plan. Ongoing exploration programs must submit an annual reclamation plan and receive approval from the Chief Inspector of Mines or his designate, following interagency review of the plan, prior to re-commencement of exploration activities.

6. *EXPLORATION PLANNING*

Annual assessment work requirements may be modified, and flexible scheduling of mineral exploration activity will be encouraged to promote long range exploration planning and to avoid disruptive exploration activities at times critical to water quality.

7. *EXPLORATION ON PRIVATE LANDS*

The proposed policies and all applicable statutes and regulations of the Ministry of Energy, Mines and Petroleum Resources apply to mineral tenures granted on all private and crown lands.

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